

H.B. 2513 (Effective immediately)

S.B. 565 (Effective August 31, 1987)

Sent to Governor  
(May 15, 1987)

S.C.R. 23	S.B. 537
S.C.R. 57	S.B. 659
S.C.R. 118	S.B. 661
S.B. 43	S.B. 715
S.B. 217	S.B. 861
S.B. 333	S.B. 862
S.B. 340	S.B. 879
S.B. 367	S.B. 892
S.B. 373	S.B. 896
S.B. 410	S.B. 916
S.B. 440	S.B. 953
S.B. 485	S.B. 1021
S.B. 496	S.B. 1111
S.B. 505	S.B. 1301
S.B. 524	S.B. 1313
S.B. 526	S.B. 1333
S.B. 536	S.B. 1428

**FIFTY-NINTH DAY**

(Monday, May 18, 1987)

The Senate met at 11:00 a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Anderson, Armbrister, Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Glasgow, Green, Harris, Henderson, Johnson, Jones, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sims, Tejeda, Washington, Whitmire, Zaffirini.

Absent-excused: Truan, Uribe.

A quorum was announced present.

Mr. Drek Moore, a student at the Dallas Theological Seminary, son-in-law to Senator Leedom, offered the invocation as follows:

Heavenly Father, it is hard for us to understand how the powers that be are ordained by God, but on the authority of Your Word, we believe it is so. We come now to ask You to endow Your servants and our representatives with wisdom to know the right, both in matters of fiscal responsibility and morality.

Then, O Lord, with wisdom to know the right, give courage to do the right and withstand any pressures that would compromise their consciences.

Finally, we avow again that we rely not on mere human wisdom or ability but in God we trust.

We ask these things in the name of Jesus Christ our Lord. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 15, 1987, was dispensed with and the Journal was approved.

**LEAVES OF ABSENCE**

Senator Truan was granted leave of absence for today on account of illness on motion of Senator Brooks.

Senator Uribe was granted leave of absence for today on account of important business on motion of Senator Edwards.

**REPORTS OF STANDING COMMITTEES**

Senator Uribe, Acting Chairman, submitted the following report for the Committee on Health and Human Services:

**C.S.S.B. 1440**

Senator Brooks submitted the following report for the Committee on Health and Human Services:

**C.S.S.B. 855**

Senator Harris submitted the following report for the Committee on Economic Development:

**H.B. 253**  
**C.S.S.B. 1227**  
**H.B. 1208**  
**H.B. 1421**  
**H.B. 523**  
**H.B. 217**  
**H.B. 1178**  
**H.B. 841**  
**H.B. 1835**  
**H.B. 2135**  
**H.B. 78**  
**C.S.H.B. 1043**  
**S.B. 1493 (Amended)**  
**C.S.H.B. 923**  
**H.B. 802**  
**S.B. 593**  
**C.S.S.B. 858**  
**S.B. 1524**

Senator Parker submitted the following report for the Committee on Education:

**C.S.S.B. 832**  
**H.B. 858 (Amended)**  
**S.B. 1490**  
**H.B. 1401**  
**H.B. 1402 (Amended)**

Senator Parmer submitted the following report for the Committee on Intergovernmental Relations:

**C.S.S.B. 962**

**SENATE BILLS ON FIRST READING**

On motion of Senator Tejeda and by unanimous consent, the following bills were introduced, read first time and referred to the Committee indicated:

**S.B. 1534** by Sims State Affairs  
Relating to the dismissal of certain misdemeanor charges on completion of a teen court program.

**S.B. 1535** by Edwards State Affairs  
Relating to the financial transactions of the Texas National Research Laboratory Commission.

**S.B. 1536** by Tejeda State Affairs  
Relating to powers of certain rapid transit authorities with respect to parking facilities, stations or terminal complexes, setting of fares, and use of increased taxes.

**S.B. 1537** by Parker Intergovernmental Relations  
Relating to the County Court at Law of Liberty County.

**S.B. 1538** by Parker Intergovernmental Relations  
Relating to competitive bidding requirements for certain hospital districts.

#### HOUSE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions received from the House were read the first time and referred to the Committee indicated:

**H.C.R. 148**, To Committee on Administration.  
**H.C.R. 173**, To Committee on Jurisprudence.  
**H.C.R. 149**, To Committee on Education.  
**H.C.R. 107**, To Committee on Education.  
**H.C.R. 96**, To Committee on Natural Resources.  
**H.C.R. 66**, To Committee on Administration.  
**H.B. 313**, To Committee on Health and Human Services.  
**H.B. 335**, To Committee on Criminal Justice.  
**H.B. 587**, To Committee on Criminal Justice.  
**H.B. 667**, To Committee on State Affairs.  
**H.B. 824**, To Committee on Intergovernmental Relations.  
**H.B. 959**, To Committee on Finance.  
**H.B. 1154**, To Committee on Health and Human Services.  
**H.B. 1169**, To Committee on State Affairs.  
**H.B. 1227**, To Committee on Jurisprudence.  
**H.B. 1281**, To Committee on State Affairs.  
**H.B. 1646**, To Committee on State Affairs.  
**H.B. 1870**, To Committee on Intergovernmental Relations.  
**H.B. 1919**, To Committee on Natural Resources.  
**H.B. 2025**, To Committee on State Affairs.  
**H.B. 2031**, To Committee on Health and Human Services.  
**H.B. 2119**, To Committee on Criminal Justice.  
**H.B. 2193**, To Committee on Economic Development.  
**H.B. 2213**, To Committee on Finance.  
**H.B. 2224**, To Committee on State Affairs.  
**H.B. 2511**, To Committee on State Affairs.  
**H.B. 2553**, To Committee on Finance.

#### CO-SPONSORS OF HOUSE BILL 1942

On motion of Senator Krier and by unanimous consent, Senators Tejeda and Zaffirini will be shown as Co-sponsors of **H.B. 1942**.

**CO-AUTHOR OF SENATE BILL 1397**

On motion of Senator Parmer and by unanimous consent, Senator Anderson will be shown as Co-author of S.B. 1397.

**SENATE RESOLUTION 549**

Senator Barrientos offered the following resolution:

WHEREAS, The Senate of the State of Texas is proud to honor T. Carmi, senior lecturer at The University of Texas at Austin in the Department of Oriental and African Languages and Literatures for the 1987 spring semester; and

WHEREAS, A leading Israeli poet, this distinguished gentleman has been visiting professor at the New York University, Yale University, and The University of Texas at Austin during his year in the United States; and

WHEREAS, A man who has a magnificent command of the English language, his readings and lectures have included International Festivals and Congresses in New York, Stanford, Philadelphia, London, Rotterdam, and Corfu; and

WHEREAS, Five of this esteemed gentleman's books of poetry have been published in translation, two anthologies in English, and numerous books of poetry in Hebrew; and

WHEREAS, He has translated into Hebrew such Shakespeare classics as Much Ado About Nothing, Hamlet, Measure For Measure, and A Midsummer Night's Dream; and

WHEREAS, A major Israeli theater company will perform his translation of Hamlet for the first time this fall in Tel Aviv; and

WHEREAS, Recognized for his genius, T. Carmi recently received the 1987-88 Guggenheim Fellowship for Poetry and Translation; and

WHEREAS, A devoted husband and father, he has been strengthened throughout his career by the love and support of his wife, Lilah, and sons, Daniel and Michael; and

WHEREAS, On May 19, 1987, this exceptional man will leave Texas to return to Israel to resume his position as visiting professor of Hebrew Literature at Hebrew Union College in Jerusalem; and

WHEREAS, It is appropriate for the Texas Senate to give this outstanding gentleman legislative recognition; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 70th Legislature, hereby commend and applaud T. Carmi for the many lives he has enriched during his stay in Texas; and, be it further

RESOLVED, That a copy of this resolution be prepared as an expression of sincere appreciation for his many contributions and as an expression of highest esteem from the Texas Senate with best wishes for a safe trip to Israel and an open invitation to return to Texas at the earliest opportunity.

The resolution was read and was adopted viva voce vote.

**GUEST PRESENTED**

Senator Barrientos escorted Mr. Carmi to the President's Rostrum.

The President presented Mr. Carmi with an enrolled copy of S.R. 549.

**GUEST PRESENTED**

Senator Jones, upon recognition, introduced the Capitol Physician for the Day, Dr. Don B. Cauthen of Temple.

Dr. Cauthen received the appreciation and welcome of the Senate.

**SENATE BILL 349 WITH HOUSE AMENDMENT**

Senator Henderson called S.B. 349 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

**Floor Amendment - Toomey**

Amend S.B. 349 as follows:

On page 1, strike lines 13 and 14 and substitute the following: "fine of not more than \$100. In addition, the".

The amendment was read.

Senator Henderson moved to concur in the House amendment.

The motion prevailed viva voce vote.

**SENATE CONCURRENT RESOLUTION 58  
ON SECOND READING**

On motion of Senator Barrientos and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading:

S.C.R. 58, Directing certain agencies to develop an interagency agreement providing for continuum or residential care and other services to children with disabilities.

The resolution was read second time.

Senator Johnson offered the following amendment to the resolution:

Amend S.C.R. 58 by inserting "Texas Department of Health" in the following places:

(1) Between the phrases "Texas Rehabilitation Commission," and "and Texas Commission for the Blind" in the first, sixth, and seventh whereas clauses. (Committee Printing, page 1, lines 32, 45, 55)

(2) Between the phrases "Texas Rehabilitation Commission," and "and Texas Commission for the Blind" in the first resolving clause. (Committee Printing, page 1, line 62)

(3) Insert "the Texas Department of Health" in the last resolving clause between the phrases "Texas Rehabilitation Commission," and "and the Texas Commission for the Blind". (Committee Printing, page 2, line 27)

The amendment was read and was adopted viva voce vote.

The resolution as amended was adopted viva voce vote.

**COMMITTEE SUBSTITUTE SENATE CONCURRENT RESOLUTION 63  
ON SECOND READING**

Senator Barrientos moved to suspend the regular order of business to take up for consideration at this time on its second reading:

C.S.S.C.R. 63, Establishing the Select Committee on Employee Classification and Compensation to conduct an examination and evaluation of the current classification and compensation system.

The motion prevailed by the following vote: Yeas 21, Nays 6.

Yeas: Anderson, Armbrister, Barrientos, Brooks, Caperton, Edwards, Farabee, Glasgow, Green, Harris, Johnson, Jones, Krier, Montford, Parker, Parmer, Santiesteban, Sarpalius, Tejeda, Washington, Zaffirini.

Nays: Blake, Brown, Henderson, Leedom, McFarland, Sims.

Absent: Lyon, Whitmire.

Absent-excused: Truan, Uribe.

The resolution was read second time and was adopted viva voce vote.

**SENATE CONCURRENT RESOLUTION 55  
ON SECOND READING**

On motion of Senator Parker and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading:

**S.C.R. 55**, Directing the Coordinating Board, Texas College and University System, to study the funding policies at institutions of higher education.

The resolution was read second time.

Senator Parker offered the following committee amendment to the resolution:

Amend **S.C.R. 55** by adding the following language to the first resolving clause line 1, page 2 after the word "funding",

and for rewarding institutions for providing quality in both undergraduate and graduate programs at institutions.

The committee amendment was read and was adopted viva voce vote.

The resolution as amended was adopted viva voce vote.

**SENATE CONCURRENT RESOLUTION 49  
ON SECOND READING**

On motion of Senator Parker and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading:

**S.C.R. 49**, Directing the Coordinating Board, Texas College and University System, to study faculty compensation packages at public institutions of higher education.

The resolution was read second time and was adopted viva voce vote.

**COMMITTEE SUBSTITUTE SENATE BILL 1286  
ON THIRD READING**

On motion of Senator Washington and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its third reading and final passage:

**C.S.S.B. 1286**, Relating to the qualifications of school bus drivers for hearing impaired students.

The bill was read third time and was finally passed viva voce vote.

**SENATE BILL 249 ON THIRD READING**

On motion of Senator Washington and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its third reading and final passage:

**S.B. 249**, Relating to service on a jury by a deaf person.

The bill was read third time and was finally passed viva voce vote.

**RECORD OF VOTE**

Senator Glasgow asked to be recorded as voting "Nay" on the final passage of the bill.

**HOUSE BILL 1232 ON SECOND READING**

On motion of Senator McFarland and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

**H.B. 1232**, Relating to the height of auto transporters operated on public roads.

The bill was read second time.

Senator McFarland offered the following committee amendment to the bill:

Amend **H.B. 1232** by striking SECTION 2 in its entirety and substituting in lieu thereof the following:

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The committee amendment was read and was adopted viva voce vote.

On motion of Senator McFarland and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading viva voce vote.

**HOUSE BILL 1232 ON THIRD READING**

Senator McFarland moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **H.B. 1232** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Nays: Washington.

Absent-excused: Truan, Uribe.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Truan, Uribe.

(Senator Brooks in Chair)

**HOUSE BILL 1874 ON SECOND READING**

On motion of Senator Blake and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

**H.B. 1874**, Relating to the financing of the renovation of the State Capitol through bonds issued by the Texas Public Building Authority; providing an appropriation.

The bill was read second time.

Senator Blake offered the following amendment to the bill:

Amend Section 4 of H.B. 1874, by adding Subsection c to read as follows:

(c) Bonds payable from money appropriated by the legislature shall not mature or be subject to redemption before September 1, 1989, and the date of the first interest payment to be made from appropriated money shall not be scheduled to occur before September 1, 1989.

The amendment was read and was adopted viva voce vote.

On motion of Senator Blake and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading viva voce vote.

#### HOUSE BILL 1874 ON THIRD READING

Senator Blake moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 1874 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Nays: Washington.

Absent-excused: Truan, Uribe.

The bill was read third time and was passed viva voce vote.

#### COMMITTEE SUBSTITUTE SENATE BILL 1170 ON SECOND READING

On motion of Senator Krier and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 1170, Relating to the determination of surplus for purposes of the franchise tax.

The bill was read second time.

Senator Jones offered the following amendment to the bill:

Amend C.S.S.B. 1170 at page 1, line 9, at page 1, line 11, and at page 1, line 14, by deleting the word "liabilities" and substituting the word "debts."

Amend C.S.S.B. 1170 following page 1, line 9, by adding a paragraph (3) to read as follows:

(3) "Debt" means any legally enforceable obligation measured in a certain amount of money which must be performed or paid within an ascertainable period of time or on demand. "Debt" does not include unrealized, estimated, or contingent losses or obligations, or any other writedown of assets.

Amend C.S.S.B. 1170 following line 13, page 2 by adding subsection (i) to read as follows:

(i) The following accounts may also be excluded from surplus, to the extent they are recognized under Generally Accepted Accounting Principles:

(1) a reserve or allowance for uncollectable accounts;

(2) a contra-asset account for depletion, depreciation, or amortization; and

(3) deferred income taxes.

The amendment was read and was adopted viva voce vote.



On motion of Senator Krier and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE SENATE BILL 1170  
ON THIRD READING**

Senator Krier moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 1170 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Nays: Washington.

Absent-excused: Truan, Uribe.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Truan, Uribe.

**SENATE JOINT RESOLUTION 45 ON SECOND READING**

On motion of Senator Anderson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.J.R. 45**, Proposing a constitutional amendment to provide for the inclusion of constitutional county judges on the State Commission on Judicial Conduct.

The resolution was read second time and was passed to engrossment viva voce vote.

**SENATE JOINT RESOLUTION 45 ON THIRD READING**

Senator Anderson moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.J.R. 45** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Nays: Washington.

Absent-excused: Truan, Uribe.

The resolution was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Truan, Uribe.

**COMMITTEE SUBSTITUTE HOUSE BILL 1953  
ON SECOND READING**

On motion of Senator Sims and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

**C.S.H.B. 1953**, Relating to the regulation of dealers of certain motor vehicles.

The bill was read second time and was passed to third reading viva voce vote.

**(President in Chair)**

**COMMITTEE SUBSTITUTE HOUSE BILL 1953  
ON THIRD READING**

Senator Sims moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.H.B. 1953 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Nays: Washington.

Absent-excused: Truan, Uribe.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Truan, Uribe.

**GUEST PRESENTED**

The President introduced the Honorable Albert Gore, Member of the United States Senate from Tennessee.

Senator Gore addressed the Senate, relating to the impact of Texas' role in the presidential primary.

**SENATE BILL 1370 ON SECOND READING**

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 1370**, Relating to qualification to take the examination for certification as a psychologist.

The bill was read second time and was passed to engrossment viva voce vote.

**SENATE BILL 1370 ON THIRD READING**

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 1370 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Nays: Washington.

Absent-excused: Truan, Uribe.

The bill was read third time and was passed viva voce vote.

**HOUSE BILL 1021 ON SECOND READING**

On motion of Senator Farabee and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

**H.B. 1021**, Relating to the provision of safety and accident prevention services at job sites.

The bill was read second time.

Senator Farabee offered the following committee amendment to the bill:  
Amend **H.B. 1021** as follows:

**SECTION 2.** Chapter 5, Insurance Code, is amended by adding Article 5.55A to read as follows:

Art. 5.55A REDUCTION IN CERTAIN PREMIUMS; LABOR-MANAGEMENT SAFETY COMMITTEES. (a) In setting premium rates for workers' compensation insurance, the State Board of Insurance shall approve a premium discount plan that will entitle a policyholder to a premium reduction if the policyholder demonstrates to the satisfaction of the board that it has not experienced an employee accident during the preceding four years or that it complies with:

(1) an accident prevention program recommended by the policyholder's insurer under Article 5.76-1 of this code, or a similar program recommended by the division of occupational safety of the Texas Department of Health;

(2) the employee notice requirements of the Hazard Communication Act (Article 5182b, Vernon's Texas Civil Statutes), if applicable;

(3) the recommendations of a labor-management safety committee created and approved in accordance with this article; or

(4) board recommendations for completion of educational courses on accident prevention that are approved by the board and are offered by an institution of higher education, a community college, an employer association, or other group.

(b) To be eligible for a premium reduction under Subsection (a) of this article, a policyholder must apply to the board in the manner prescribed by the board and qualify under this article and rules of the board.

(c) The board shall create a plan to approve labor-management safety committees established to promote occupational or industrial safety within an individual employer's work force. A committee must be composed of representatives of the employer and employees and shall recommend actions that can be taken by the employer or employees to reduce workplace accidents.

(d) The board may adopt rules as necessary to administer this article and to provide criteria for approval of labor-management safety committees and qualification for premium reductions under this article.

On page 4, line 1, after 1987., add Subsection (b) as follows:

(b) Section 1 of this Act applies to all policies for workers' compensation insurance delivered, issued for delivery, or renewed on or after January 1, 1988. Policies delivered, issued for delivery, or renewed before January 1, 1988, are subject to the law as it existed before being amended by this Act, and that law is continued in effect for that purpose.

Renumber subsequent sections accordingly.

The committee amendment was read.

On motion of Senator Farabee and by unanimous consent, the committee amendment was tabled.

Senator Farabee offered the following amendment to the bill:

Amend **H.B. 1021** as follows:

Insert the following new SECTION 2, renumber SECTION 2 as SECTION 3 and SECTION 3 as SECTION 4:

SECTION 2. Chapter 5, Insurance Code, is amended by adding Article 5.55A to read as follows:

Art. 5.55A REDUCTION IN CERTAIN PREMIUMS; LABOR-MANAGEMENT SAFETY COMMITTEES. (a) In setting premium rates for workers' compensation insurance, the State Board of Insurance shall approve a premium discount plan that will entitle a policyholder to a premium reduction if the policyholder demonstrates that it has not experienced an employee accident during the past four years but excluding the most current policy year and that it complies with:

(1) an accident prevention program recommended by the policyholder's insurer under Article 5.76-1 of this code, or a similar program recommended by the division of occupational safety of the Texas Department of Health;

(2) the employee notice requirements of the Hazard Communication Act (Article 5182b, Vernon's Texas Civil Statutes), if applicable;

(3) the recommendations of a labor-management safety committee created and approved in accordance with this article; and

(4) recommendations for completion of educational courses on accident prevention that are approved by the board and are offered by an institution of higher education, a community college, an employer association, or other group.

(b) To be eligible for a premium reduction under Subsection (a) of this article, a policyholder must apply in the manner prescribed by the board and qualify under this article and rules of the board.

(c) The board shall create a plan to approve labor-management safety committees established to promote occupational or industrial safety within an individual employer's work force. A committee must be composed of representatives of the employer and employees and shall recommend actions that can be taken by the employer or employees to reduce workplace accidents.

(d) The board may adopt rules as necessary to administer this article and to provide criteria for approval of labor-management safety committees and qualification for premium reductions under this article.

In SECTION 3, after "1987," insert the following new Subsection (b) to read as follows:

(b) Section 1 of this Act applies to all policies for workers' compensation insurance delivered, issued for delivery, or renewed on or after January 1, 1988. Policies delivered, issued for delivery, or renewed before January 1, 1988, are subject to the law as it existed before being amended by this Act, and that law is continued in effect for that purpose.

Renumber subsequent sections accordingly.

The amendment was read and was adopted viva voce vote.

On motion of Senator Farabee and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading viva voce vote.

#### HOUSE BILL 1021 ON THIRD READING

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 1021 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Nays: Washington.

Absent-excused: Truan, Uribe.

The bill was read third time and was passed viva voce vote.

#### COMMITTEE SUBSTITUTE SENATE BILL 1498 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 1498**, Relating to consent by minors to treatment for chemical addiction, dependency, or use.

The bill was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE SENATE BILL 1498  
ON THIRD READING**

Senator Zaffirini moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 1498** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Nays: Washington.

Absent-excused: Truan, Uribe.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Truan, Uribe.

**HOUSE BILL 815 ON SECOND READING**

On motion of Senator Montford and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

**H.B. 815**, Relating to legislative consent to suits against the state.

The bill was read second time.

Senator Montford offered the following committee amendment to the bill:

Amend **H.B. 815** as follows:

(1) On page 2, between lines 13 and 14, insert the following:

(10) the state does not grant permission to recover exemplary or punitive damages;

(2) On page 2, line 14, strike "(10)" and substitute "(11)".

(3) On page 2, line 16, strike "(11)" and substitute "(12)".

(4) On page 3, insert a new Section 2 to read as follows and renumber current Section 2 as Section 3:

**SECTION 2.** This Act applies only to resolutions adopted on or after the effective date of this Act.

The committee amendment was read and was adopted viva voce vote.

On motion of Senator Montford and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading viva voce vote.

**HOUSE BILL 815 ON THIRD READING**

Senator Montford moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 815 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Nays: Washington.

Absent-excused: Truan, Uribe.

The bill was read third time and was passed viva voce vote.

**HOUSE BILL 386 ON SECOND READING**

On motion of Senator Green and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

**H.B. 386**, Relating to the jurisdiction of constables.

The bill was read second time and was passed to third reading viva voce vote.

**HOUSE BILL 386 ON THIRD READING**

Senator Green moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 386 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Nays: Washington.

Absent-excused: Truan, Uribe.

The bill was read third time and was passed viva voce vote.

**BILLS AND RESOLUTIONS SIGNED**

The President announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bills and resolutions:

<b>H.B. 74</b>	<b>H.B. 759</b>	<b>H.B. 1195</b>
<b>H.B. 110</b>	<b>H.B. 952</b>	<b>H.B. 1509</b>
<b>H.B. 134</b>	<b>H.B. 987</b>	<b>H.B. 1551</b>
<b>H.B. 153</b>	<b>H.B. 1003</b>	<b>H.B. 1756</b>
<b>H.B. 156</b>	<b>H.B. 1031</b>	<b>H.B. 1812</b>
<b>H.B. 169</b>	<b>H.B. 1066</b>	<b>H.B. 2022</b>
<b>H.B. 186</b>	<b>H.B. 1071</b>	<b>H.B. 2130</b>
<b>H.B. 572</b>	<b>H.B. 1100</b>	<b>H.B. 2131</b>
<b>H.B. 581</b>	<b>H.B. 1121</b>	<b>H.B. 2523</b>
<b>H.B. 591</b>	<b>H.B. 1125</b>	<b>H.C.R. 102</b>
<b>H.B. 689</b>	<b>H.B. 1179</b>	<b>H.C.R. 167</b>
<b>H.B. 758</b>		

**HOUSE BILL 400 REREFERRED**

On motion of Senator Farabee and by unanimous consent, H.B. 400 was withdrawn from the Committee on Intergovernmental Relations and rereferred to the Committee on State Affairs.

**SENATE BILL 1536 REREFERRED**

On motion of Senator Parmer and by unanimous consent, S.B. 1536 was withdrawn from the Committee on State Affairs and rereferred to the Committee on Intergovernmental Relations.

**SENATE CAUCUS**

Senator Brooks announced the Senate would caucus upon recess today.

**NOTICE OF SESSION TO HOLD  
LOCAL AND UNCONTESTED BILLS CALENDAR**

Senator Blake announced that a Local and Uncontested Bills Calendar had been placed on the Members' desks and gave notice that a Local and Uncontested Bills Calendar would be held at 8:30 a.m. on Tuesday, May 19, 1987, and that all bills and resolutions would be considered on second and/or third reading in the order in which they are listed.

**MOTION TO RECESS AND ADJOURN**

On motion of Senator Brooks and by unanimous consent, the Senate agreed to take recess until 8:30 a.m. tomorrow. The Senate further agreed to adjourn at the conclusion of tomorrow's Local Calendar Session until 11:00 a.m. tomorrow.

**MEMORIAL RESOLUTIONS**

H.C.R. 198 - (Glasgow): Memorial resolution for Clyde H. Wells.

S.R. 545 - By Caperton: Memorial resolution for Olemuel Davis.

S.R. 550 - By Glasgow: Memorial resolution for Richard Thomas (Rik) Leggett.

S.R. 552 - By Glasgow: Memorial resolution for Otha T. "Cobe" Coburn.

S.R. 554 - By Glasgow: Memorial resolution for L. E. (Rod) Roderick.

S.R. 557 - By Glasgow: Memorial resolution for Gladys Crockett Hendricks.

S.R. 559 - By Glasgow: Memorial resolution for James Wann.

S.R. 563 - By Glasgow: Memorial resolution for Vernon McReynolds.

S.R. 564 - By Glasgow: Memorial resolution for Paul G. Bernard.

**CONGRATULATORY RESOLUTIONS**

H.C.R. 153 - (Glasgow): Commending White Diamond Enterprises on developing the Worldwide Texas Wagon Train.

H.C.R. 170 - (Brooks): Commending Sheila Adams and Angela Kaye Brown.

H.C.R. 178 - (Glasgow): Designating the Cleburne High School band as the Official Goodwill Representative of Texas.

H.C.R. 179 - (Glasgow): Extending congratulations to the Cleburne boys' basketball team.

H.C.R. 186 - (Sims): Honoring former State Representative Bill Blythe.

H.C.R. 200 - (Barrientos): Honoring the Texas Employees Retirement Association.

S.R. 544 - By Green: Extending congratulations to Dr. William Harwood Hinton.

**S.R. 546** - By Zaffirini: Expressing gratitude to Dr. Miguel Vazquez, Capitol Physician for the Day.

**S.R. 547** - By Zaffirini: Extending congratulations to the United High School Symphonic Band of Laredo.

**S.R. 548** - By Zaffirini: Extending warmest wishes to Joshua De Luna.

**S.R. 551** - By Glasgow, Parmer, McFarland: Extending congratulations to Edgar Keltner.

**S.R. 553** - By Glasgow: Extending congratulations to Mr. and Mrs. Russell Darnell Wilson.

**S.R. 555** - By Glasgow: Extending congratulations to Stacy Calvin.

**S.R. 556** - By Glasgow: Commending John and Katherine Jackson.

**S.R. 558** - By Glasgow: Extending congratulations to Jim Isbell.

**S.R. 560** - By Glasgow: Commending Hugh Lynch.

**S.R. 561** - By Glasgow: Commending Judge Buddy Cole.

**S.R. 562** - By Glasgow: Extending congratulations to Dr. David Melville.

**S.R. 565** - By Glasgow, Farabee: Commending Fred McCain.

#### **RECESS**

On motion of Senator Brooks, the Senate at 12:08 p.m. took recess until 8:30 a.m. tomorrow.

#### **FIFTY-NINTH DAY**

(Continued)

(Tuesday, May 19, 1987)

#### **AFTER RECESS**

The Senate met at 8:30 a.m. and was called to order by Senator Blake.

#### **SENATOR ANNOUNCED PRESENT**

Senator Uribe who had previously been recorded as "Absent-excused" was announced "Present".

#### **MESSAGE FROM THE HOUSE**

House Chamber  
May 19, 1987

HONORABLE W. P. HOBBY  
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

**S.B. 776**, Relating to a center for the support of a comprehensive database network to further the State's goal of economic diversification; authorizing appropriations. (Amended)